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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tsuyoshi KANEKO

Group Art Unit: 2828

Application No.: 10/665,447

Examiner: P. NGUYEN

Filed: September 22, 2003

Docket No.: 116898

For: SURFACE EMITTING SEMICONDUCTOR LASER AND MANUFACTURING  
METHOD THEREOF, LIGHT MODULE, LIGHT TRANSMISSION DEVICE

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

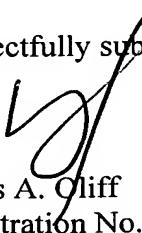
Sir:

In reply to the July 20, 2005 Restriction Requirement, Applicant provisionally elects Group I, claims 1-19.

It is also respectfully submitted that the subject matter of all claims 1-21 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

  
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JAO:YSC/mdw

Date: July 28, 2005

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